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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,683	06/06/2001	Toshihiko Suzuki	B422-160	7538
26272	7590	10/31/2005	EXAMINER	
COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS NEW YORK, NY 10036			FLETCHER, JAMES A	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,683

Applicant(s)

SUZUKI, TOSHIHIKO

Examiner

James A. Fletcher

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4, 6-12, 14-19, and 21-24 is/are rejected.
7) ☒ Claim(s) 5, 13 and 20 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-12, 14-19, and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Mishina et al (6,009,236).

Regarding claims 1, 17, and 23, Mishina et al meet the three limitations of claims 1 and 23, and the first, second, and fourth limitations of claim 17 in Col 11, lines 52-57, Fig. 16, item 22, and Col 14, lines 9-13. Mishina et al also meet the third limitation of claim 17 in Col 42, lines 38-40.

Regarding claims 9 and 21, please see the Examiner's remarks regarding claims 1, 17, and 23.

Further regarding claims 9 and 21, Mishina discloses normal speed playback elements as recited in the claims in Col. 29, lines 25-27, and discloses the use of a disc in Col 1, line 16.

Regarding claim 24, Mishina et al meet the limitations of the claim in Col. 1, line 16 and in Col 14, lines 9-13.

Regarding claims 2 and 10, Mishina et al meet the limitations of the claim in Col 14, lines 9-13.

Regarding claims 3-4 and 11-12, Mishina et al meet the limitations of the claim in Col 14, lines 9-13, and in Col 34, lines 1-21.

Regarding claims 6 and 14, Mishina et al meet the limitations of the claim in Col 14, lines 9-13.

Regarding claims 7 and 15, Mishina et al meet the limitations of the claim in Fig. 61, items 77 and 83.

Regarding claims 8 and 16, Mishina et al meet the limitation of the claim in Col. 1, line 16.

Regarding claim 18, please see Examiner's comments regarding claims 24 and 7.

Regarding claim 19, Mishina et al meet the limitations of the claim in Col. 29, lines 25-27.

Allowable Subject Matter

3. Claims 5 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 5 and 13, the prior art does not disclose, suggest, or teach a reproducing apparatus comprising forming means as recited in claims 1 and 9 that divides each of n pictures as recited in claims 3 and 11 wherein n is determined as recited in claims 5 and 13.

Art Unit: 2616

4. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 20, the prior art does not disclose, suggest, or teach a reproducing apparatus comprising the elements recited in claim 17 wherein the reproducing means indicates movement of an image as recited in claim 20, and also wherein the mode change means reacts to the motion information as recited in claim 20.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAF
26 October 2005


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2616